

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KIARA DORIQUE ALEXIS,

Plaintiff,

v.

JACK NAVARRO, et al.,

Defendants.

No. 2:22-cv-01130 DAD AC PS

ORDER

On June 29, 2022, plaintiff filed a complaint and a motion to proceed in forma pauperis (“IFP”). ECF Nos. 1 and 2. Plaintiff also filed a motion for a temporary restraining order. ECF No. 3. On July 1, 2022, the motion to proceed IFP was denied, and plaintiff was required to pay the filing fee, which she did. ECF No. 4. Plaintiff filed additional motions for a temporary restraining order and for a preliminary injunction. ECF Nos. 9 and 10. Those motions were denied by the District Judge. ECF No. 11.

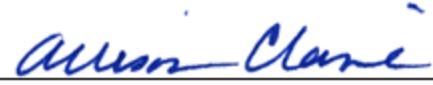
On August 16, 2022, the undersigned issued findings and recommendations recommending that the complaint be dismissed for lack of federal jurisdiction, but that plaintiff be provided an opportunity to submit an amended complaint establishing federal jurisdiction within 30 days of adoption of the findings and recommendations. ECF No. 13. The court vacated the outstanding injunctive relief request without prejudice, specifying that plaintiff could request such relief again if she filed an amended complaint that established federal jurisdiction. ECF No. 13 at

1       6. Plaintiff filed, without court permission, another motion for preliminary injunction on  
2 September 12, 2022. ECF No. 31. On October 21, 2022, the district judge adopted the findings  
3 and recommendations, granting 30 days to file an amended complaint. ECF No. 36. Plaintiff did  
4 not file an amended complaint within the time provided.

5           Good cause appearing, IT IS HEREBY ORDERED that plaintiff shall show cause, in  
6 writing, within 14 days, why her failure to file an amended complaint should not result in a  
7 recommendation that this case be dismissed for failure to prosecute. The filing of an amended  
8 complaint within this timeframe will serve as cause and will discharge this order. If plaintiff fails  
9 to respond, the court will recommend dismissal of this case pursuant to Local Civil Rule 110.

10          It is further ORDERED that the motion for a preliminary injunction, ECF No. 31, is  
11 VACATED without prejudice to refiling in the event plaintiff files an amended complaint that  
12 establishes federal jurisdiction.

13 DATED: November 22, 2022

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE

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